S.B. CRIMINAL MISC. PETITION NO.750/2007
(Chittar Mal vs. State of Rajasthan)

Date :: 22.05.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr.J.P. Chhangani, for the petitioner.
Mr.Ashok Upadhyay, Public Prosecutor.

Learned counsel for the petitioner states that though the learned Additional Sessions Judge, Gulabpura vide order dated 05th May, 2007 has granted anticipatory bail to the petitioner under Section 438 Cr.P.C., but while passing the order a condition has been imposed upon the petitioner for depositing amount of Rs.2,52,000/- in the trial court within a period of 15 days. According to counsel for the petitioner, this condition is erroneous in view of the judgment of Hon'ble Apex Court reported in 2007 Cr.L.R. (SC) 85 Sohan Lal Juneja & Ors. vs. State of Punjab.

Learned Public Prosecutor does not dispute the legal position.

In this view of the matter, the condition incorporated in the said order dated 05th May, 2007 for granting anticipatory bail to the petitioner with regard to depositing the amount of Rs.2,52,000/- in the trial court is set aside, while maintaining other portion of the order.

Accordingly, the criminal misc. petition is disposed of.

(GOPAL KRISHAN VYAS), J.

A.K. Chouhan/-